

STAFFORD COUNTY SCHOOL BOARD

Agenda Consideration

TOPIC: Proposed Revisions to Regulation 7-11.2: Home Instruction **ITEM NO:** 10I

PREPARED BY: André A. Nougaret,
Interim Superintendent **MEETING:** August 22, 2006

Daryl A. Nelson,
Executive Director of Administrative & Legal Services **ACTION DATE:** August 22, 2006

ACTION REQUESTED BY THE SUPERINTENDENT:

That the School Board receive for information proposed revisions to Regulation 7-11.2, Home Instruction.

KEY POINTS:

The proposed revisions to Regulation 7-11.2, Home Instruction, incorporate changes in Virginia law since the regulation was last revised and also clarify division requirements and procedures. The revisions necessitated by law include that:

- 1) parents/guardians holding a high school diploma may provide instruction to their children;
- 2) parents/guardians may also qualify to provide home instruction either by providing a curriculum which includes SOL objectives for language arts and math or by providing evidence the parent is able to provide an adequate education;
- 3) parents/guardians must notify the superintendent of the intent to provide home instruction by August 15th or as soon as practicable after they have moved into the school division or elect to provide home instruction after the school year has begun;
- 4) parents/guardians may provide evidence of their children's' educational progress through any nationally normed standardized achievement test; and
- 5) notice shall be given parents/guardians of the availability of Advanced Placement (AP) and Preliminary Scholastic Aptitude Tests (PSAT) and of financial assistance to low-income and needy students.

Further revisions that are proposed to reflect division practice, requirements, and procedure include:

- a) significantly modifying Section G to provide that the Superintendent shall notify the parent/guardian of approval/disapproval to provide home instruction and of the requirement of the parent/guardian to provide evidence of educational progress; and
- b) clarifying that home instructed students shall not participate in interscholastic sports and activities through Stafford County Public Schools.

SCHOOL BOARD GOAL: (Goal 7) Provide school environments where teachers are safe to teach and students are safe to learn.

FUNDING SOURCE: N/A

AUTHORIZATION REFERENCE: Bylaw 1-33, Formulation and Approval of Regulations

STUDENTSHome Instruction**A. Purpose**

To establish procedures governing home instruction by parents as an acceptable alternative form of education as authorized in the Code of Virginia, §22.1-254.1.

B. Options Available to Parents

~~The following alternatives permit~~ A parents may elect to provide home instruction to his/her child in lieu of school attendance if they meet provided the parent meets any one of the ~~conditions~~ criteria listed below:

1. Holds a high school diploma ~~Baccalaureate degree from an accredited institution of higher education.~~
2. Meets the qualifications for a teacher prescribed by the Virginia Board of Education.
3. Enrolls the child ~~or children~~ in a correspondence course approved by the Superintendent of Public Instruction (see Exhibit A); or,
4. Provides a program of study or curriculum which, in the judgment of the division superintendent, includes the Standards of Learning (SOL) objectives adopted by the Board of Education for language arts and mathematics or provides ~~and furnish~~ evidence that the parent is able to provide an adequate education for the child.

C. Notification

A parent who elects home instruction in lieu of school attendance must notify the division superintendent ~~in not later than~~ August 15th of the intent to do so for the coming year. Parents who move into the division or who begin home instruction after August the school year has commenced must notify the division superintendent of their intent to provide home instruction as soon as practicable and shall comply with the provisions of the law within thirty (30) days of such notice.

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The notice may be in the form of a letter, or other writing, or written notice or may be given on the attached form (Exhibit B). It must identify by name the child or children involved and must include the following items required by ~~the~~ statute:

1. A description of the program of study or curriculum to be followed for the coming year; and
2. Evidence of having met one of the criteria in the options available in part B above.

D. Evidence of Progress

~~To comply with the law,~~ The parent is required to provide to the superintendent by August 1, following the school year in which the child has received home instruction, evidence of the child's progress in one of the following ways:

1. Evidence that the child has attained a composite score in or above the fourth stanine on a battery of any nationally normed standardized achievement tests ~~which have been approved by the Board of Education for use in the public schools;~~ or
2. An evaluation or assessment which, in the judgment of the division superintendent, indicates that the child is achieving an adequate level of educational growth and progress.

E. Consequence of Parent Not Providing Evidence of Progress

In the event that evidence of progress as required in Section D is not provided by the parent, the home instruction program for that child may be placed on probation for one year. Parents shall file with the division superintendent evidence of their ability to provide an adequate education for their child in compliance with section B and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the division superintendent, the home

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instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with §22.1-254. The requirements of subsection D (i) shall not apply to children who are under the age of six as of September 30 of the school year.

F. Definition of Parent

For purposes of this section, "parent" means the biological parent or adoptive parent, guardian or other person having control or charge of a child.

G. Procedures for Providing Evidence of Student Achievement Notification Letter of Superintendent

~~On or before February 1 of each year~~ The parent of a child ~~receiving~~ approved by the Superintendent to provide home instruction shall be notified by mail of ~~his/her~~ such approval and of the parent's legal obligation to provide evidence of educational progress. Those parents submitting a notice to provide home instruction which is deficient shall be notified by mail of such deficiency and what steps are necessary to obtain approval. ~~which, in the judgment of the division superintendent, indicates that the person receiving home instruction is achieving an adequate level of educational growth and progress. The notification letter shall include the following elements:~~

- ~~1. The criteria for evidence of satisfactory progress as established by State law (Code of Virginia §22.1-254.1 at Subdivision C), the Board of Education, and the Department of Education.~~
- ~~2. A description of the options available to the parent for providing evidence of achievement.~~
- ~~3. The names, school addresses, and telephone numbers of two administrators who will consult with the parent upon~~

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~~request.~~

- ~~4. That such evidence of achievement must be submitted to the superintendent on or before August 1 following the school year in which a child has received home instruction.~~
- ~~5. The consequences when such evidence is not submitted, or, if submitted, does not satisfy the criteria for determining satisfactory progress.~~

H. Placement or Awarding of Credit for Children Returning to School from Home Instruction

In determining the placement or awarding of credit for children returning to school from home instruction, school staff ~~will~~ shall implement the following procedures:

1. Children who have been home instructed who wish to enroll in the Stafford County Public Schools in grades K-8 shall ~~will~~ be placed at the appropriate grade level as determined by school administrators. Children may be required to take examinations in order to determine appropriate grade level.
2. Children who have been home instructed in grades 9-12 ~~will~~ shall be required to take examinations in each course for which they wish to receive credit. In order for credit to be awarded, the child ~~must~~ shall take and pass a final examination which was required of students enrolled in the same course offered in the Stafford County high schools. Credit ~~will~~ shall not be granted unless the child has been home instructed the entire school year. A maximum of 11 credits earned by home instruction can be applied toward the requirements for a Stafford County high school diploma. A grade of pass (P) ~~will~~ shall be granted for credits earned by home instruction and any such credits ~~will~~ shall not be included in determining the grade point average of a student.

STUDENTSHome Instruction**I. Enrollment of Home Instructed Children in Courses and Programs offered in the Division**

Parents who have been approved to provide home instruction may also enroll their child in courses and programs offered in the school division, provided the child satisfies the enrollment criteria for such course or program, and further provided that space is available and such child satisfies all legal requirements for school enrollment. Parents desiring to enroll their child in one or more courses or programs are to notify in writing the principal of the school in which enrollment will be sought and are encouraged to do so by April 1 preceding the school year of anticipated enrollment, as courses and programs are offered on a space available basis and as scheduling must be planned in advance. Parents ~~are to~~ shall provide the principal with a copy of the letter wherein their child has been approved to receive home instruction.

Transportation of the child to and from the school shall be the responsibility of the parent. An enrolled child shall be required to comply with all rules and regulations of the school and the division, including the Student Code of Conduct.

Except at the elementary and middle school grade levels, a home instructed child shall undertake course work in division schools on a credit basis only. A maximum of two courses may be taken per semester. Grades shall be assigned for all course work undertaken. A home instructed student shall not participate in interscholastic sports or activities.

Students enrolled on a full-time basis shall not be eligible to receive credit from any school within the division for home instruction course work which was undertaken during the period of full-time enrollment. For purposes of this section a full-time student shall be any student taking five or more courses in any school within the division.

J. Appeals

Any party aggrieved by a decision of the division superintendent may appeal the decision within thirty days to an

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independent hearing officer. The independent hearing officer shall be chosen from the list maintained by the Executive Secretary of the Supreme Court of Virginia for hearing appeals of the placements of children with disabilities. The costs of the hearing shall be apportioned among the parties by the hearing officer in a manner consistent with his/her findings.

K. Annual Report on Home Instruction

The division superintendent will notify the school board and the Superintendent of Public Instruction of the number of children in the school division receiving home instruction each year. ~~The division superintendent will also provide the school board with a report including, but not limited to, the following:~~

- ~~1. Names and addresses of parents approved by the superintendent to provide home instruction during the ensuing school year and the names and grade levels of persons who will receive such instruction.~~

~~Names, addresses and grade levels of those persons receiving home instruction who failed to meet the criteria for satisfactory progress during the previous school year.~~

- ~~2. The status of pending and/or ongoing appeals from home instruction decisions of the division superintendent.~~

L. Availability of Certain Tests

Students receiving home instruction and their parents shall be notified of the availability of Advanced Placement (AP) and Preliminary Scholastic Aptitude Test (PSAT) examinations and the availability of financial assistance to low-income and needy students. Such notification shall be provided in the letter of approval to parents to provide home instruction.

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Editor's Note

See also school board policy #7-11.2

Legal References: Through June 30, 1999

Code of Va., §22.1-254.1. Declaration of policy; requirements for home instruction of children. (1998)

Approved by Division Superintendent: February 27, 1986

Revised by Division Superintendent: March 10, 1992

Revised by Division Superintendent: March 23, 1993

Revised by Division Superintendent: December 4, 1996

Revised by Division Superintendent:

Board Review:

Staff Review:

Responsible Department: Administrative & Legal Services; Instruction